

TNI.13994

**IN THE DISTRICT COURT FOR THE  
WESTERN DISTRICT OF TEXAS  
DEL RIO DIVISION**

**MAYRA BERENICE MEZA JALIFE  
A/N/F OF F.V. AND D.V., MINORS,**

**v.**

**FRANCISCO JAVIER VILLARREAL,  
MICHAEL BAILEY GOAD and TRI-  
NATIONAL, INC.**

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**Civil Action No. 2:21-cv-00027**

**JURY DEMAND**

**DEFENDANTS MICHAEL BAILEY GOAD AND TRI-NATIONAL, INC.'S  
NOTICE OF REMOVAL**

TO THE HONORABLE JUDGE OF SAID COURT:

Pursuant to 28 U.S.C. §§ 1332(a), 1441(a) and 1446(a), named Defendants **MICHAEL BAILEY GOAD** and **TRI- NATIONAL, INC.** file this Notice of Removal, hereby removing this case from the 365<sup>th</sup> Judicial District Court of Maverick County, Texas to the United States District Court for the Western District of Texas, Del Rio Division. In support of this Notice of Removal, Defendants respectfully show the Court as follows:

**A. INTRODUCTION**

1. Plaintiff is Mayra Berenice Meza Jalife A/N/F of F.V. and D.V., Minors. Defendants are Francisco Javier Villarreal, Michael Bailey Goad and Tri- National, Inc.

2. On May 14, 2021, Plaintiff sued Defendant Francisco Javier Villarreal for alleged negligence, Defendant Michael Bailey Goad for alleged negligence, and Defendant Tri-National, Inc. for alleged negligent entrustment in the 365<sup>th</sup> Judicial District Court, Maverick County, Texas; Case No. 21-05-39981-MCVAJA (the “lawsuit” or “suit”). This lawsuit involves an automobile accident which occurred on or about May 18, 2019, between Francisco Javier Villarreal and Defendant Goad. Plaintiff is now alleging that the accident caused her minor sons

to sustain bodily injuries and other damages and has pled in her Original Petition that she “seeks monetary relief in an amount exceeding \$200,000.00, however not to exceed \$1,000,000.00.”

3. Defendant Francisco Javier Villarreal has not filed an appearance in this pending lawsuit. Defendant Michael Bailey Goad received notice of this lawsuit on or about May 24, 2021. Defendant Tri- National, Inc. received notice of this lawsuit on or about May 24, 2021. As such, Defendants file this notice of removal within the 30-day time period required by 28 U.S.C. § 1446(b)(1).

### **B. BASIS FOR REMOVAL**

4. **Diversity Jurisdiction** – Removal is proper because there is complete diversity between the parties, 28 U.S.C. §1332(a); *Johnson v. Columbia Props. Anchorage, LP*, 437 F.3d 894, 899-900 (9<sup>th</sup> Cir. 2006). Plaintiff is a citizen of the state of Texas. Defendant Michael Bailey Goad is a citizen of Arkansas and Defendant Tri-National, Inc. is incorporated in the state of Delaware and has its principal place of business and corporate headquarters in the state of Missouri. Finally, Francisco Javier Villarreal has yet to make an appearance in this lawsuit.

5. **The Amount in Controversy Exceeds \$75,000** – The amount in controversy exceeds \$75,000.00, excluding interest and costs. 28 U.S.C. §1332(a); *Andrews v. E.I. du Pont de Nemours & Co.*, 447 F.3d 510, 514-15 (7<sup>th</sup> Cir. 2006). In its lawsuit, Plaintiff seeks monetary relief over \$200,000.00 but not more than \$1,000,000.00.

6. Copies of all pleadings, process, orders, and other filings in the state-court suit are attached to this notice as required by 28 U.S.C. §1446(a).

7. Venue is proper in this district under 28 U.S.C. §1441(a) because the state court where the suit has been pending is located in this district.

8. Defendants Michael Bailey Goad and Tri-National, Inc. will promptly file a copy of this notice of removal with the clerk of the state court where the suit has been pending.

**C. JURY DEMAND**

9. A jury demand was made in the state court suit.

**D. CONCLUSION**

10. For these reasons, Michael Bailey Goad and Tri- National, Inc. ask the Court to remove this suit to the U.S. District Court for the Western District of Texas, Del Rio Division, and for such other and further relief, both general and special, at law and in equity, to which Defendants may show themselves justly entitled.

Respectfully submitted,

**FEE, SMITH, SHARP & VITULLO, L.L.P**

/S/ THOMAS W. FEE

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**ATTORNEYS FOR DEFENDANTS**

**MICHAEL BAILEY GOAD and**

**TRI-NATIONAL, INC.**

**CERTIFICATE OF SERVICE**

THIS WILL CERTIFY that a true and correct copy of the foregoing instrument has been served upon all attorneys of record in this cause of action on the 23<sup>rd</sup> day of June, 2021.

/S/ JAMES E. JOHNSON

**JAMES E. JOHNSON**